



Single Family Demolition **Procedures and Instructions**

Pursuant to Section 142-108 of the Land Development Regulations of the City Code, any proposed demolition in a single family zoning district, which is on a site with a single family home built before 1942, shall require the review of the Planning Department. Exceptions to this regulation are interior demolition (including plumbing, electrical and mechanical systems), and renovations to the exterior of non-architecturally significant structures.

I. Requirements for a Determination of Architectural Significance.

The Planning Department shall make a determination of whether a single family home constructed prior to 1942 is architecturally significant. All requests for such a determination shall be in writing, signed by the property owner, and shall include the reasons for the requested determination. The request shall also include the following:

1. A copy of the building card for the property;
2. Current color photos of the home that show all elevations;
3. Any microfilm on record, including the original architectural drawings and any later additions or alterations;
4. Any available historic photographs or other relevant historic documentation.
5. Two (2) sets of mailing labels, with the names and addresses of all property owners of land located within 375 ft. of the exterior boundary of the subject property, and an original certified letter stating that the ownership list and mailing labels are a complete and accurate representation of the real property and property owners within 375 ft. of the subject property. Such letter must be dated and give the address of the subject property and its legal description, subdivision and plat book number and page and state the source for this information. Within approximately one (1) week of the submission of a completed request, Planning Department staff will provide one (1) copy of the required notice, as well as the required number of envelopes and one (1) set of labels to the applicant who, in turn, will stuff, label and stamp (with correct postage) all envelopes and return them to Planning Department staff for mailing within three (3) days. Failure to adhere to this procedure shall result in the request for a determination not being processed.

The following are the names of several companies that can be used to obtain the required mailing labels and accompanying maps, legal descriptions and certified letter, as per the requirements above. **THE CITY OF MIAMI BEACH DOES NOT CLAIM RESPONSIBILITY FOR THE ACCURACY OR TIMELY ACQUISITION OF**

THE INFORMATION PROVIDED BY THESE COMPANIES.

LOPEZ DATA RESEARCH	305-981-9893
FLORIDA REAL ESTATE DECISIONS	305-757-6884
CONSUELO QUINTANA	305-858-2287
WEST POINT APPRAISAL	305-261-3772
CARLOS J. MARADIAGA	305-207-1412

Within 5 days of the receipt of a request, the planning department shall post a notice on the subject single family home site

Within 10 days of posting the notice, interested persons may submit information to the planning director to take into consideration in evaluating the architectural determination request.

The Planning Director shall file the decision pertaining to the Architectural Significance of the subject single family home with the City Clerk.

II. Criteria for a Determination of Architectural Significance.

The Planning Department shall make a determination of architectural significance according to the following criteria:

1. The subject structure is characteristic of a specific architectural style constructed in the city prior to 1942, including, but not limited to Vernacular, Mediterranean Revival, Art Deco, Streamline Moderne, or variations thereof;
2. The exterior of the structure is recognizable as an example of its style and/or period, and its architectural design integrity has not been modified in a manner that cannot be reversed without unreasonable expense.
3. Significant exterior architectural characteristics, features, or details of the subject structure remain intact.
4. The subject structure embodies the scale, character and massing of the built context of its immediate area.

III. Appeals of Determinations of Architectural Significance.

The applicant or any property owner within 375' of the subject single family home may appeal the decision of the Planning Director pertaining to the architectural significance of a single family home, within 10 days of the rendering of such decision. No demolition permit may be issued within any appeal period, and if an appeal is filed, no demolition permit may be issued while the appeal is pending. The appeal shall be in writing, shall set forth the factual, technical, architectural, historic and legal bases for the appeal, and shall be to the Design Review Board (DRB).

IV. Requests for Total Demolition.

A demolition permit for a single family home constructed prior to 1942 may be issued following the final determination that the subject structure is not an architecturally significant home (after the expiration of the appeal period or the exhaustion of all appeals).

In the event a single-family home is determined to be architecturally significant, a demolition permit shall require the review of the DRB. No demolition permit shall be issued until a new single family home for the subject site is approved by the DRB and a Full Building Permit for new construction has been issued.

V. Requests for Partial demolition.

Applications for partial demolition to accommodate additions or modifications to the exterior of any architecturally significant single-family home may be approved administratively by the Planning Department, as part of the building permit process. The review of applications for partial demolition shall be limited to the actual portion of the structure that is proposed to be modified, demolished or altered. Such repairs, alterations and improvements include the following:

1. Ground level additions to existing structures, not to exceed two stories in height, which are not substantially visible from the public right-of-way (excluding rear alleys), any waterfront or public parks, provided such ground level additions do not require the demolition or alteration of architecturally significant portions of a building or structure and that the alterations or additions are designed, sited and massed in a manner that is sensitive to and compatible with the existing structure and compatible with the as-built scale and character of the surrounding single-family residential neighborhood.
2. Replacement of windows, doors, roof tiles, and similar exterior features or the approval of awnings, canopies, exterior surface colors, storm shutters and exterior surface finishes, provided the general design, scale, massing, arrangement, texture, material and color of such alterations and/or improvements are compatible with the as-built scale and character of the subject home and the surrounding single-family residential neighborhood. Demolition associated with facade and building restorations shall be permitted, consistent with historic documentation.
3. Facade and building restorations, which are consistent with historic documentation, provided the degree of demolition proposed is not substantial or significant and does not require the demolition or alteration of architecturally significant portions of a building or structure.
4. Demolition and alterations to address accessibility, life safety, mechanical and other applicable code requirements, provided the degree of demolition proposed is not substantial or significant and does not require the demolition or alteration of architecturally significant portions of a building or structure.
5. The demolition and alteration of rear and secondary facades to accommodate utilities, refuse disposal and storage, provided the degree of demolition proposed does not require the demolition or alteration of architecturally significant portions of a building or structure.

VI. New Construction Requirements:

The following shall apply in the event an architecturally significant single family is proposed to be **demolished**:

1. The Design Review Board (DRB) shall review and approve all new construction on the subject site.

2. The overall lot coverage of proposed new home(s) shall not exceed the building footprint of the original structure on site, or shall be limited to the following, whichever is greater, based upon the overall size of the subject lot:
 - a. For lots less than 10,000 square feet, the lot coverage shall not exceed 30%;
 - b. For lots greater than 10,000 square feet, but less than 25,000 square feet, the lot coverage shall not exceed 25%;
 - c. For lots greater than 25,000 square feet, the lot coverage shall not exceed 15%.

The DRB may waive the above noted lot coverage restrictions if it concludes that the retention of the architecturally significant single family home is not practical or feasible, in which case the DRB review of any request for demolition shall consider the criteria in Section II herein, as well as the following criteria:

- i. Whether good cause for the demolition of the structure has been shown.
 - ii. Whether pertinent economic and financial considerations that affect the ability of the owner to renovate, restore and add on to the structure.
 - iii. Whether the structural condition of the single family home or other factors affect the feasibility of renovating, repairing or restoring the structure.
3. In the event a new home does not exceed one-story in height, the lot coverage shall not exceed 35 percent of the lot area; for purposes of this section, a one-story structure shall not exceed twelve (12') feet in height as measured from minimum flood elevation.
4. The above regulations shall also be a limitation on development in all lots within a single site that may be split into multiple lots or multiple lots that are aggregated into a single site, at a future date. When lots are aggregated, the greater of the footprint permitted by the lot coverage regulations, or the footprint of the larger home, shall apply.

The following shall apply in the event an Architecturally Significant single family home is ***substantially retained and preserved***:

1. The total lot coverage shall not exceed 35%.
2. The design of any addition to the existing structure shall be subject to the review and approval of the Planning Department.
3. In the event the lot coverage of the existing structure exceeds 35%, no variance shall be required to retain and preserve the existing lot coverage.
4. In the event the lot coverage of the existing structure exceeds 35%, a second level addition shall be permitted, provided it does not exceed 60% of the footprint of the existing structure; no lot coverage variance shall be required for such addition.
5. The property owner shall not be required to pay any City Building Permit fees associated with the renovation and restoration of the existing single family home; any and all non-City impact fees and other fees shall still be required.
6. The above regulations shall also be applicable to any single family home designated as an historic structure by the historic preservation board.